

On Bearing the Defects of Others

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From the Bombay "Examiner."

IT is an elemental platitude that "You can't have it all your own way in the world." This is so obvious as to need no elaborating; but there is a tendency in human nature to fix on certain points, and not to rest until one gets one's own way about those. It may be a matter of things, or a matter of persons. In point of things, one has times out of number to exclaim: "What cannot be cured must be endured"; but the great obstacle to acquiescence lies in the fact that perhaps things *can* be cured, and perhaps if we try we may cure them. Very well! work up your case, develop your plans; and if they look feasible try to bring them into effect. But be ready to find yourself at every turn balked. Be ready to pause as soon as you are balked and readjust yourself to the obstacle; be ready to suspend action till a more favorable opportunity; be ready finally to give the thing up as a bad job as soon as it is clearly seen to be incurable. Don't try bluff and bluster; don't resort to force, don't provoke greater opposition, "or tempt others to aggravate the thing out of sheer cussedness" just because it annoys you. To discover the exact point for giving in and graciously acknowledge yourself beaten is the pink of practical wisdom.

With regard to the defects of persons, far greater delicacy is required. A personality is hedged round by a sort of halo of divinity; a kind of sanctuary which is labeled "No admission without permission." The Psalmist says, "It is He that made us, and not we ourselves." A man, being made by God, has a Divine commission to make more of himself if he can. But although another place of Scripture says, "God hath given to every man a charge concerning his neighbor," this charge (so I understand) only amounts to responsibility for helping and not hindering him in the way of salvation. It does not amount to a commission to intrude into another man's

sacred precincts, and to force him like a pedagogue into a new mold just because we think it would be an improvement. In short, except for rare opportunities, which have to be very cautiously dealt with, we have to take every man as we find him, and make the best of a bad job if he happens to be a bad job.

The idea of genially accepting the defects of others (one of the elements of the Christian ethic) was brought home to me (said Herr Schneebels) one day by what afterwards became famous as "the tenth part story"—"What is the tenth part story?" I asked. Well it is a rather good one, he replied. Once we had an old Father giving us a retreat. He had been an eminent man in his time; and even now, when on the shelf, he retained a certain masterliness which was sometimes astonishing. You know the habit of the students at "points" to show a preference for the back benches, leaving generally a blank in front. There were still always a few who out of boldness, or indifference, or propriety, used to scatter over the front benches; and one in particular, named Rendall used habitually to take the very first bench, which made his back view conspicuous to the whole college.

Now what happened was this: One day the old Father was giving us a "consideration" on charity, and making allowances for one another's defects. "We all have our faults which everybody has to put up with cheerfully," he said, "and if others have to put a good face on *our* defects, let us also put a good face on theirs. No matter what fine qualities we may have, we all have our discount; we all have our weak or disagreeable points. Take anybody (he went on, warming up to his subject)—take for instance *the man in the front bench*." Here everybody's eyes were focused on the cranium of poor old Rendall, whose ears began to turn visibly scarlet. "Take, I say, the man in the front bench. Now just look at him! There are ten parts in that man, and nine of them are excellent—But the tenth, God help us!"

SIXTY PER CENT PHILOSOPHY.

Herr Schneebels, after concluding this story, went on to remark: "If it is only a question of the tenth part, no

great difficulty ought to arise. We often say that such and such a person has this or that defect, but he is a fine fellow all the same, and we can easily put up with so small a failing. In fact (he said) we ought to be prepared to go further than this. In our college, if a boy had got 60 out of 100 we called it 'distinction marks.' Anything over 50 counted as respectable; but under-half marks was regarded as a failure. It is not a bad idea to apply to ordinary life. If we reckon up a man's good points and his bad points, and find the good points predominating, however slightly, we ought to feel satisfied. But if we find his good qualities (that is, those which we like) rising above 60 per cent., we ought to sing *Te Deum* for it." He was very fond of alluding to what he called "the sixty per cent philosophy"; and it had a wonderful effect in smoothing down one's irritation and obliterating one's sense of grievance.

With his characteristic fondness for distinctions, Herr Schneebels used to draw a line between defects which are rooted in temperament and character and are therefore handily removable or at the most reducible by continuous and persevering habits of self-management—and purely surface defects of habit or manner which are easily curable as soon as a man's attention is called to them and he realizes that they *are* defects.

Rooted defects may be inherited or connatal, and even physical. One sometimes finds people saying, "I positively detest so and so; I can't stand the sight of him." And if one asks why, the answer is reducible to that absurd but very pregnant rhyme:

"I do not like thee Doctor Fell
The reason why I cannot tell."

And quite possibly the cause may be nothing but the shape of the man's nose or the cast and expression of his face, or even the complexion of his skin, or the tone and accent of his voice. It is wonderful what disagreeable and even strained relations may arise from a mere dislike of physical idiosyncrasies which create a frame of mind susceptible of disagreeable developments as soon as an occasion arises.

Then there are defects of temperament and character

such as self-complacency or self-conceit, vanity, various forms of childishness, obstinacy or tenacity of opinions, aggressiveness in discussion, irritability or bad temper, cynicism or sarcasm, apathy, indifference, laziness, casualness, changeability, etc., etc.—defects which might possibly have been got well in hand under systematic self-training, but which now are so identified with the man that he certainly will never get rid of them. The most one can ask for is some sign of a disposition to keep them within moderate bounds; and with that we have to be content. We must take the man as he is, and thank God for the sixty per cent of moderate expectation.

With defects of these two kinds we are easily disposed to acquiesce just because they are part of the discount which is usual in humanity, and just because we recognize that they are inevitable and practically incurable. What cannot be cured must be endured; and we have to be thankful that it is no worse. We can also steady our judgment by reflecting that other people probably have to allow just as big a discount in dealing with us as we have to allow in dealing with them. In this connection the expedient of "getting it down on paper" may profitably be applied.

PARALLEL COLUMNS.

Take any such fellow-man and analyze your dislike of him. Divide a sheet of foolscap into three columns. In the first column write a list of *his* defects which get on your temper or your nerves. When the list is finished, go over each and ask yourself: "Have or have I not the same defect?" If you have, put it down in the same words in the second column. If not, leave that column blank, but ask yourself a second question: "Is there not in me at least some other, perhaps kindred, perhaps different defect from which he is free? You will find several if you know yourself, and are honest. Put those down in the third column. Then survey the whole sheet and give him and yourself marks as in a competitive examination. Total them up and strike a balance. It may be a little in your favor or in his favor. But your conclusion will be that the two counts are sufficiently near together to make one wish to regard the incident as closed,

and to recognize that an immense amount of give-and-take is necessary if people are to live comfortably with each other in this world. Then you can take another sheet of foolscap, and put down in one parallel column all the good points you can credit the other fellow with, and in the second column ask yourself whether you can really claim as much for yourself. Well, unless you are of an extremely self-satisfied temperament, you will begin to think that on the whole it is time for you to begin to apologize for your own existence, and think that the less is said the better.

This (said Herr Schneebels) may be called examination of conscience by the comparative method. Mind, it is not a thing I recommend for general use, for it is likely to lead to introspection of the self-conscious and morbid kind. But as a method of testing one's dislikes of others and getting rid of them by exact analytics I do not know a more effectual expedient.

The other kind of defects consists of mere points of manner or habit; little details of behavior such as breaches of etiquette, roughness, barbarisms of a specific kind which mark down a man as either defective in breeding when young, or negligent in adult life of the lessons formerly learned. One may include under this head quite innocent things which a man has a habit of doing, but which happen to cause an immense amount of annoyance, and would be instantly stopped if their irritating effects were brought home. But here the blind spot philosophy comes in.

NOT SEEING THE OBVIOUS.

It is related that St. Bernard walked with some companions all day by the side of a lake. But in the evening, when his companions spoke of the lake, he did not know what they were talking about. *He had never seen the lake!* It seems that this failure to notice the obvious is not peculiar to the Saints, though in other people the reasons may be different. So completely hidden from our eyes is the obvious that Chesterton was driven to define genius as the art of discovering the obvious. Pray don't think I am censorious (continued Herr Schneebels). I

enthusiastically plead guilty in my own case. What for instance could be more obvious than the fact that a man walking about his room in heavy boots (or any boots at all) must be an insufferable nuisance to the man underneath; and enough, if it continues for long, to drive him half mad. And yet I should find it a long task to write down a list of those individuals whom I have experienced doing this all their lives, and apparently as ignorant of the effect of their noisy practice as St. Bernard was of the lake. To tell you the truth, when I was a young man in college I actually did it myself for more than two years—not a mere free moving about, but methodical promenades from end to end of my chamber, meditating, reflecting, thinking out things, or even letting off steam by muscular exercise. Not only the man underneath but at least four others close by, were driven to a frenzy of exasperation. And yet, poor beggars, not one of them had the courage to come and tell me, and apparently not one of them made a complaint to the superior of the establishment. At last after two years one of the students (a model man who lived to do good to people whenever he got the chance) did tell me in quite an easy casual way. I assure you, I simply sank into the metaphorical ground with shame, and felt a need for apologizing for my own existence. For the future, cameral perambulations were marked down in the tablets of my brain as tabu. And yet such is the obliviousness of the human mind to the obvious that it is quite possible that I may have done it again and again afterwards—though not habitually—and never reflected on it!

Hence arises that definition of courtesy which runs: "To think of others, and not to think of self." The second clause needs modifying. Thinking of self *in relation to others* is an essential part of the business. But it is certainly true that most of the discourtesies of life, most of the practices and idiosyncrasies which annoy other people, come not from any ill-disposition, and not even from any want of perception of what is right and wrong; but from sheer want of reflection on one's own manners and habits with a view to see what impression they make or are calculated to make on others. It is one

of the most valuable assets of life "To see ourselves as others see us."

A LESSON FROM THE CLOISTER.

The Religious Orders (said Herr Schneebels) have an excellent method for dealing with such defects. In the older Orders it is done in chapters, where each monk has to kneel down in turn, and the brethren are asked what they have to say about him. If the indictment is fairly to the point, that suffices; otherwise the abbot or prior puts in the necessary criticism. The whole thing is conducted under the strictest restraints of charity, in a spirit of mutual helpfulness, or what are called "spiritual alms." But I take it that the ordeal of the chapter is one of the most crucial tests of a man's vocation; for it reveals whether he has sufficient self-control and humility to stand it. The practical outcome of the method is the elimination of mere surface defects of habit and manner, at least during those years of training—as far as is required by the standard of culture and manners which is current in the Order.

In some of the more modern Orders the system is mitigated into "admonitions." Each novice has his brother admonitor told off for him; and he himself is admonitor to some other brother. At a fixed time the brethren assemble in a hall, and each admonitor goes to his subject and tells him in a whisper what he has to say. In the course of a couple of years a religious is sure to have heard almost everything which is worth knowing about his angularities or idiosyncrasies and defects. If he is earnest in self-improvement, they ought all to have disappeared by the end of the course of training—though probably some may still remain, and others may reassert themselves in later life when the system is no longer in use. *Naturam expellas furca, tamen usque recurrit.*

Herr Schneebels used also to divide defects into *aggressive* and (for want of a current word) *regressive*:—in simpler terms, defects of pushing-out or of drawing-in; defects of rushing forward or of pulling-back; defects which have the effect of getting people up and defects which have the effect of letting them down.

In the aggressive defect we feel that the other man is encroaching on us, making himself oppressive to us, over-

bearing or over-reaching us. He is making a positive drive against us in some way, forcing us to retreat, or forcing us to stand with our backs to the wall and resist. This is the kind of defect which springs from the strong character, in the good or the bad sense; from the man of strong will or of strong passion.

But besides the aggressive defects there are the "regressive" defects; and these invariably spring not from strength but from weakness. The essence of a regressive defect is that a man fails somehow to meet our expectations, and gives us away, so to speak, or lets us down like a rope that breaks or thin ice that collapses.

NEGATIVE AND POSITIVE DEFECTS.

Defects of this kind may be negative or positive. A man fails to keep appointments, fails to carry out engagements, fails to do the thing he has promised to do, or the thing we expected him to do and reckoned on him to do—either he does it not at all, or half does it, or does it badly. It may come from forgetfulness, or inability, or laziness, or apathy, or diffidence, or hesitancy, or timidity, or human respect or what not. But whatever the cause, that cause is always a weakness.

Of the positive order there are such defects as these: The man not merely fails us, but he positively gives us away, and lets us flop, or *takes us in* in some way. He conceals things from us. He slurs things over. He equivocates or practises evasion. He even tells us things which are undistinguishable from lies. Instead of facing up to us he shirks the matter, and manipulates it unknown to us. He says one thing to our face and another behind our back. He pretends to approve what we have done, but openly or covertly tells others that he does not approve. He pretends to support us but secretly acts against us. Instead of telling us what he wants and asking us to consent, he adopts some back-stairs method of getting what he wants unknown to us and in spite of us; and then if caught, pretends that he has not done it, or knows nothing about it, and expresses his wonder how it could have happened, or his displeasure at it having happened. He is essentially a schemer. He always has concealed plans of his own, and is always trying to carry them

out; not in the open day-light but in dark corners; hoping he will not be noticed, or that he will get the business through before he is stopped. He is diplomatic in the worst sense, that is, one who works for his ends not by persuasion but by deception. He suggests to us the description of the Heathen Chinee: "For ways that are dark . . . The heathen Chinee is peculiar."

"Omnis malus aut ideo vivit, ut corrigatur; aut ideo vivit ut per eum bonus exerceatur," says St. Augustine. Even from a natural point of view the world would be dull without its imperfections. Eden is to us thinkable only as the idle enjoyment of sunshine and landscape and wandering about at will. But nothing wearies like mere amusement. We should soon get tired of having nothing to do. But what in the world would there be to do? If everything were perfect, everything supplied, we should all have to join the great unemployed. Something to do means that something *needs* to be done, that something is wanted. We have to do things in order to make ourselves comfortable, in order to provide ourselves with food, clothing and shelter. When these are supplied, our superfluous time and energy must be directed to doing good in some way; and that means that there are deficiencies to be made up, and evils to be corrected. There would be no schooling if every child were born knowing all that it ought to know. There would be no training of the young if every child were born a fully disciplined creature. There would be no discipline unless there were good things and bad things to choose between, and good and bad ways of doing things to choose between. There would be no work for sinners unless there were sinners to work for. There would be no conversion-work unless there were people that need conversion. Hence the evils and defects in the world are the essential basis on which our efforts have to rest; the essential presupposition to all good work and enterprise; the necessary material on which we have to work for its emendation. Moreover, if there were no disagreeables in the world there would be no exercise for the virtues of fortitude, patience, tolerance, zeal and charity.

Herr Schneebels, if he had lived long enough, would

have enjoyed in this connection that picture in *Punch* of a retriever looking very depressed and disconsolate. Up to it comes a terrier from next door and says, "Cheer up, old man; what's the matter? Got into trouble with the master?" "No," says the retriever wearily, "since they've been treating me with insect powder I have had nothing to do!" That is the point. We habitually look upon vermin as a pest; but to the animal creation it is the one great stimulus to activity, the very thing which keeps them employed. Similarly all the disagreeable things and persons in the world may (with all due respect) be compared to bugs, fleas and lice, which are a nuisance in themselves, but they serve the admirable purpose of giving us something to do. "*Omnis malus aut ideo vivit, ut corrigatur; aut ideo vivit ut per eum bonus exerceatur.*"

Crime and the Criminal

JOSEPH J. AYD, S.J.

MORE brilliant nonsense has been written about crime and criminals than about any other subject under the sun. As an instance, there are the scientific rhapsodies of the notorious Italian specialist in crime, C. Lombroso. A careful study of his verbose contributions to the question gives one the impression that the criminal belongs to a distinct type. He is a creature so unhappy as to have slipped into this world, whether or no, predestined to evil deeds. With reasonable certainty, too, he can be recognized by various individuating marks, termed stigmata, such as a slanting skull, wing-shaped nostrils and bulging ears. This charming creature, says Lombroso, is foredoomed to crime and the vicious habit of crime, and no external or internal influences are potent enough to swing him into virtuous channels.

Dr. Charles Goring, author of "The English Convict," supports us in this summary of Lombroso, and Dr. Goring, for some years Deputy Medical Officer of H. M. Prison, Parkhurst, speaks with authority. He writes:

Lombroso's theory is to the effect that the criminal, as

found in prison, is a definite, anomalous, human type—that is to say, he is a specific product of anomalous biological conditions. . . . The essential fact upon which all Lombrosians are agreed is that the mind of the criminal is defective in some way. . . . Criminality is a specific condition of mind or soul, a definite state of psychic stability. And this psychical state with its outward and physical signs of an inward and spiritual darkness, this mental and moral instability underlies any and every form of lawlessness and potentiality for crime.

But Goring's summary of the Lombrosian theory is not flavored to the taste of Dr. Maurice Parmelee, the American criminologist. With admirable nonchalance he asserts that Dr. Goring grossly and inexcusably misrepresented Lombroso. "Lombroso," contends Parmelee, "never asserted that the criminal in prison always belongs to a definite, anomalous human type," and the Lombrosians do not assert that the criminal is never a 'perfectly normal human being.' On the contrary, towards the end of his career, Lombroso did not believe that more than 40 per cent. of the criminals belonged to the type he called 'born criminals,' while all the Lombrosians believe that circumstances lead many normal individuals to commit crime."

Thus do the "masters" stage an Olympic struggle to decipher the Lombrosian theory. In the meantime the pendulum swings to the opposite extreme. A new school of criminology crops up which cannot appreciate the teaching of Lombroso that criminality is derived from heredity alone. The followers of this school, sensing the absurdities to which the Lombrosian theory logically leads, dogmatically assert that criminality is the outcome of environment alone. With a superficiality of observation and a looseness of thought that make even Mr. Havelock Ellis look to his laurels, this school claims that criminals are not to the manner born, but are made such by the force of circumstances. They are, in fact, "victims of circumstances." Criminality is wholly due to poverty, to being brought up in sordid homes by criminal parents, to lack of education, to drunkenness, either of their parents or of themselves and so on. Hence, when we compel this doctrine to reveal itself in all its naked simplicity, it means this: circumstances, such as poverty

and the like, produce criminality, and they are, moreover, the only source, the only possible source, of criminality.

Both of these doctrines head logically for the same heresy, namely, that the criminal is wholly irresponsible for his violations of the law, and, consequently, to punish him is to do something unjust and futile. The teaching of the Lombrosian school makes the criminal irresponsible because he is born to be a criminal and cannot, except by a miracle, alter his moral birth-marks. The teaching of the environmental school makes the criminal irresponsible, because the blame of his foul deeds rests not upon him, but upon "society," which gave him criminal parents, permitted him to be reared in unsavory circumstances, etc. Therefore, logically, to punish a poor criminal who has made off with your family heirlooms is foolish. Poor victim of environment he deserves not blame but pity. And he gets it.

The trouble with these two schools and all the many ramifications of modern criminology grafted on them (cf. De Quiros' "Modern Theories of Criminality") is that they stress secondary and contributory causes of crime and fail to consider sufficiently the chief cause. From Lombroso's "*L'Uomo delinquente*," published in 1876, to "Crime and Criminals," published last year by Dr. Charles Mercier, there is constant insistence upon "cosmic" factors of crime, "social" factors, and "individual" factors, but strange to say, we hear very little or nothing about the chief factor, namely, the will.

THE FREEDOM OF THE WILL.

Psychology teaches that there are two faculties in man that make him an intellectual being. These are will and intellect. Aristotle insisted that the greater of these faculties is the will. True, Aristotle is an ancient: he lived more than two thousand years ago, but, as President Roosevelt used to say, we all belong to the generation of Aristotle, because Aristotle's thinking still lies at the basis of the greatest thought of modern times. Unfortunately modern criminology attempts to discredit and discard Aristotle and consequently minimizes his doctrine of the freedom of the will.

This doctrine of the freedom of the will, however, is a

great philosophical truth, and really determines the whole theory of sane criminology. If a man does not possess free will, he cannot by his own inherent energy oppose himself to the current of influences which bear upon him from without and from within, and he is nothing more than an irresponsible machine. If a man's conduct is always the inevitable resultant of the forces playing upon him, there is no essential difference between the crimes committed by him and the convulsions of an epileptic. He is devoid of responsibility, and cannot justly be held accountable for his deeds and cannot justly be punished for his misdeeds.

A criminal, therefore, is a normal human being, blessed with intelligence and free will, who, in the words of the "Century Dictionary," "has committed a punishable offence against public law." Hence, with due regard for his part played by secondary causes, a criminal is a person who, more or less deliberately, chooses to do what he knows to be wrong and against the law, when he might abstain from acting, did he so will. It is impossible to conceive how a criminal can be held responsible for a crime, and hence punishable, unless it be granted that he could have abstained from committing the crime. As well think of punishing the sun for causing sun-stroke, or a mad dog for biting, or a lunatic for burning a barn, as the man who commits a dastardly deed, if, according to the shallow assertions of many criminal ethicists, the forces of a "cruel atavistic heredity" or of a "greedy modern society" have deprived him of that, which alone justifies the existence of our jails and penitentiaries, namely, his moral responsibility.

A criminal therefore is not a "being apart," belonging to a different order of humanity from ourselves. Though, to use a Stevensonian phrase, his face is usually his certificate, he is not a creature devoid of all personal and moral responsibility, who acts because he cannot help it. Whatever evil influence his peculiar temperament may exert on him, and however powerfully he may be swayed by unsavory circumstances, he ever and always remains a normal human being, blessed with intelligence and free will, who has chosen, more or less deliberately, to become a violator of the laws of the land. He is a free

agent and he knows it, and, in his confidential moments, is always willing to admit it.

CLASSIFYING CRIMINALS

The classifications of criminals generally causes universal dissatisfaction. And yet, every criminologist takes at least a flying shot. Havelock Ellis, in his famous book "The Criminal," offers the following: (1) The political criminal; (2) the criminal by passion; (3) the insane criminal; (4) the instinctive criminal; (5) the occasional criminal; (6) the habitual criminal; (7) the professional criminal. This classification closely resembles the classic division of Lombroso and Ferri, and the later one by Professor Aschaffenburg, and is at best very faulty. Though omitting to mention the Lombrosian "born criminal," it mentions the so-called instinctive criminal, who is non-existent. Says Dr. Parmelee: "It is both biologically and psychologically erroneous to speak of an instinctive criminal, for there is not and could not be an instinct of crime." The so-called "instinctive criminal" is really a moral imbecile. His mental constitution is such that no training, no education, no care in upbringing, no system of rewards or punishments, has any appreciable effect on him. As soon as such an unfortunate is discovered wandering at large, he should be apprehended and packed off at once to some asylum, where his incorrigible wayward tendencies will have a very restricted sweep.

The most sensible and the best workable classification seems to be this: (1) the habitual criminal; (2) the occasional criminal; (3) the single offender. The first class would include the recidivist ("repeater") and the professional criminal, who has chosen the career of crime as his life's work. The second class would include all those who have no special predilection for crime and who are not recidivists in the strict sense of the term, but ordinary citizens of ordinary upbringing, who are allured into the paths of crime by casual temptations of exceptional severity, or who allow themselves, now and then, to slip into different offenses, more or less grievous, for the same reason. The majority of the members of the third class, namely the single offenders, are not criminals in the sociological sense of the word. They are normal persons who,

under the stress of a sudden overwhelming temptation of weakness, commit a single crime, and who ever afterwards live law-abiding lives. Strictly speaking, most of these single offenders are criminals only in a legal sense; their single foray into forbidden fields offers very little food for thought to the specialist in criminology. Many murderers, however, are caught, convicted and executed after what is, so far as is known, their first murder, but their mental constitution is so peculiar, so selfish, so brutal, "so utterly wanting in sympathy and morality, so willing to inflict upon others any injury that may conduce to their own comfort, that it is clearly only the quasi-accident of their being caught and hanged after their first murder, that prevents them from repeating the crime whenever they should find it profitable to do so, and thus becoming habitual murderers 'in esse,' as they already are 'in posse'."

"SICK SENTIMENTALISM"

When we come to deal with the treatment of criminals, we come upon a sorry tale indeed. Nowadays the daily papers and the monthly magazines, light and heavy, regale us with the attractive theory that the punishment of criminals should not be retributive or vindictive, but merely medicinal, as they say, and emendatory. Punishment is no longer what Milton called it, "law's awful minister," but merely a kind of educative process designed, in some way or other, to lead the criminal to cease from conducting himself in a way destructive of agreeable feeling. A few years ago, in a debate in the House of Commons, a speaker expressed the hope that "the old feeling of a desire for revenge upon those who had offended against society was fast disappearing." About the same time, the editor of a journal of name wrote: "We expect prison authorities to improve a man, morally, mentally, and physically in confinement. The old retributive theories of punishment stand condemned today as being not merely unscientific, but positively immoral . . . A prison should be a repairing shop of humanity." And only the other day I received a pamphlet entitled "Modern Trends," in which I read the inspired assertion that "Scientists will prove to our law-makers and those entrusted

with the enforcement and administration of the law, that there are no criminals and we need no prisons. They will prove that a person whose criminal instincts are stimulated to the danger point is a *sick person*, and confinement, if any, should be in a *hospital*, where treatment may be rendered in accordance with the actual needs of the individual, as established by sound scientific process."

This view, that criminality is a kind of disease and that punishment is primarily and essentially emendatory, is making rapid headway in certain quarters and is the product of what Carlyle has well called "sick sentimentalism." The State must no longer command undoing of evil from

the best that takes
His license in the field of time,
Unfettered by the sense of crime,
To whom a conscience never wakes.

Now, what is the essential element in punishment? Unprejudiced jurists and ethicists say that it is the infliction of pain upon a criminal for pleasure unduly received at the expense of society. Punishment, therefore, is primarily retributive in its character,—that is, its effect is retrospective and not prospective, and whatever other function may belong to punishment, such function depends upon and presupposes the vindictive function: it presupposes the infliction of some form of pain on the criminal for vicious breach of social order. Writes William Samuel Lilly: "My present point is, that, whether we view the matter historically or philosophically, the punishment inflicted by human jurisprudence is, like all punishment, primarily vindictive. It is the legal consequence, united to the legal cause by a necessity arising from the nature of things . . . Punishment is the return of a man's deed upon himself." And Bouvier ("Law Dictionary") summarizes the whole sensible view of the subject when he writes: "The end of punishment therefore is to punish the criminal for doing some injury to society; to repair the wrong done to society or a private individual; and to amend his life for the future, and by his example to prevent others from committing like offences." Catholic criminologists, therefore, are not baleful figures chal-

lenging the so-called new day in prison reform when they assert with Dr. Charles Mercier that, "We punish the offender, first and foremost, in order that he may suffer pain in return for the pain he has inflicted; second, as a subsidiary but still important purpose, to deter him from repeating his offense, and to deter others from emulating it; and third, as a minor and much less important purpose, an after-thought, to reform him—that is, to alter his mental constitution or temperament so that he may no longer wish to commit crime."

Nationalism and the Missions

A Letter from the Sacred Congregation for the Propagation of the Faith in Regard to Missionaries and Nationalism

IN order that our missionaries throughout the world may avoid opposition on the part of the civil authorities in their particular localities, and that their preaching of the Gospel may be more acceptable to the people and greater spiritual results ensue, it behooves our Catholic missionaries, whatever be their origin and native country, to give themselves wholly to the Divine mission that has been assigned to them. Holding the Apostles and their disciples as models, they should remember that the messenger of the Gospel should conduct himself in no other way than as an ambassador of Christ to men, whom he should lead by the preaching of the Gospel, to the light of faith and confirm them in the same faith and holiness of life: "For Christ, therefore, we are ambassadors" (2 Cor. v. 20).

Wherefore the apostolic missionary should set down as his sole aim and goal the conversion of men to God and the salvation of souls. For this reason the Sacred Congregation for the Propagation of the Faith in its decrees has frequently sought to impress upon its missionaries that they are by no means to occupy themselves with civil matters or give their time to them. Anyone, therefore, who desires to give himself up to the evangelical apostolate should renounce all earthly pursuits, especially anything pertaining to the country from which he has come.

This has always been a matter of the highest importance but especially so at the present time. For never before have the smouldering flames of national rivalry and prejudice broken forth into a greater heat than now.

Moreover, our Holy Father, by the Providence of God, Benedict XV. has confirmed the same in his Encyclical "Maximum Illud," on the 30th day of November, 1919 (Acta Apostolicae Sedis, XI, 440) when among other things noted he solemnly proclaimed the following:

"Understanding therefore that to each one of you have been addressed the words of the Lord: 'Forget thy people and thy father's house' (Ps. XLIV. II), you should remember that you are to propagate the kingdom of Christ and not of men; that you should enroll citizens not in an earthly country but in the kingdom above. Surely it would be a sad state of affairs if any of our missionaries would be so unmindful of their dignity as to think more of the world than of heaven, and to immoderately desire to promote and extend the glory of their native land above everything else. Baneful indeed would be the effects of this evil influence, destroying the very foundations of charity and weakening the influence of the Gospel among the people. For men, however barbarous and unrefined they may be, clearly understand the aims and purposes of missionaries among them and instinctively know when he seeks from them something besides their spiritual good. Let the missionaries therefore indulge in matters pertaining to the world, let them seem to conduct himself not as an apostolic man but as one striving to serve his own country, and straightway his efforts come under suspicion among the people. This may easily lead these to think that the Christian religion belongs to one nation and that whosoever embraces it becomes thereby subject to its power and control and loses all right to civic independence. . . . The Catholic missionary who is worthy of the name should always remember that he is an ambassador of Christ and not of his native country. He should, therefore, conduct himself in such a manner that anyone may without the slightest hesitation recognize in him the minister of a religion which, while it embraces all men, adoring God in spirit and truth, belongs to no one nation. For it is one wherein 'there is neither Gentile nor Jew, circumcision or uncircumcision, Barbarian nor Scythian, bond nor free; but Christ is all and in all' (Coloss. III, 11)."

Desiring to obviate, therefore, the difficulties which in the preaching of the Gospel might arise from the indiscreet love of missionaries for their native land, the Sacred Congregation for the Propagation of the Name of Christ, in recalling to mind what has been written above.

has thought it expedient to issue a few practical hints.

1. Missionaries should avoid seeking to propagate their native language among the people to whom they are sent, lest they seem to be consulting the interests and good of their fatherland rather than the salvation of souls. Let them rather make it their care to learn the language of the country where they are laboring. Likewise, in their sermons, instructions in schools, and other discourses of the same nature, they should employ the vernacular that they may help all and be heard and understood by all. All the prayers outside of the Sacred Liturgy should be recited and all hymns sung in that tongue. It is moreover forbidden for them to force people to confess in any other language but their own.

2. Missionaries should be on their guard against introducing any laws or customs proper to their own country, especially pertaining to fasting, abstinence and feasts of precept, and making them obligatory. They should rather make it their duty that the ecclesiastical discipline pertaining to the universal church should flourish there, and wherever it is introduced be reverently maintained.

3. They should likewise avoid spreading among the people exaggerated opinions concerning the power and influence of their nation, lest they seem to seek the things of the world than those of the heavenly kingdom of Jesus Christ. They must never interfere in national policies and other matters of this kind, either in favor of their own country or any other, but should ever keep in mind their great and exalted purpose, the gaining of souls and increasing the glory of God.

4. Whatever may be the form of government existing in their field of labor, they should never cease exhorting the people to obey the civil power and to show submission to the same as the Apostle teaches, "not as to men, but as serving God." In this let them show themselves a model for all, showing due reverence for the civil authority and obeying its laws, provided they are just and not opposed to the law of God.

Concerning the disposition of men towards one form of government or another, and other civil matters of this kind, Catholic missionaries should join themselves to

neither party. And in cases of this kind, they should not interest themselves in any political movements. They are, moreover, forbidden to profane the pulpit with sermons on political questions, and even outside the church they are not allowed to address the people on these subjects without the permission of the Ordinary.

5. All are to abstain from promoting and assisting commerce with their own or any other country, keeping in mind the words of the Apostle to Timothy: "No man being a soldier to God entangleth himself with secular business."

6. Let them carefully observe rule 1386 of Canon Law by which "clerics, secular and religious, are forbidden without permission of superiors, to publish books on profane subjects, or to contribute articles to newspapers, pamphlets and periodicals, or to edit the same." This clearly embraces political questions.

7. In articles published in regard to their labors, let there appear zeal for spreading the kingdom of God, and not the desire of increasing the greatness of their native country, since this above all is wont to estrange the minds of the people of other nations from our holy religion.

Superiors and directors of missions, together with the Orders to whose care missions are entrusted, should make it their duty to impress upon their subjects that perfect obedience and complete submission in these matters are to be shown by all.

If these rules are carefully observed, the different peoples among whom the Catholic Church sends her missionaries and the civil authorities will easily understand that they seek not the things of the world, but only what pertains to the salvation of souls, the propagation of truth, and peace among men. Through this means, also, that glorious day will soon dawn when the Church will see with joy all the nations of the world gathered into the one Fold and under the one Shepherd.

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